

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD  
ON WEDNESDAY, JANUARY 20, 2021 AT 5:30 P.M. - VIRTUAL MEETING HELD BY  
VIDEO CONFERENCE VIA GOOGLE MEET**

**MAYOR:** Louie A. Trujillo

**COUNCILORS:** Elaine Rodriquez  
David Ulibarri, Jr.  
Michael Montoya  
David Romero

**ALSO PRESENT:** William Taylor, City Manager  
Casandra Fresquez, City Clerk  
Scott Aaron, City Attorney  
Adrian Crespín, Sergeant at Arms

**CALL TO ORDER**

Meeting was called to order at 5:30 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Mayor Trujillo took the opportunity to recognize a peaceful Inauguration Day in our country, joining with our leaders at a federal level and acknowledged Theresa Leger Fernandez as being present in Washington. He stated he was proud of our nation and looked forward to coming back to a civil presidency.

**APPROVAL OF AGENDA**

City Clerk Fresquez advised there was an amendment to the agenda regarding postponement of the first presentation by Bryan Berg, it would take place on the February 10th meeting.

Councilor Romero made a motion to approve the agenda with the amendment. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo advised all were in favor.

### **PUBLIC INPUT**

City Clerk Fresquez advised there was no public input at this time.

### **MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS**

Mayor Trujillo advised he had nothing to report at this time.

### **COUNCILORS' REPORTS**

Councilor Romero advised he was concerned about the violence occurring during curfew hours and asked if there had been any warnings given out by police officers. He also stated there were issues regarding the Fram building and he praised the work done by the Public Works and Parks Department regarding the snow removal from the recent snow storm.

Police Chief Adrian Crespín advised that there had been no citations given at this point.

Discussion took place regarding construction on the Fram building.

Mayor Trujillo thanked the hard work of everyone in the snow removal and stated that ordinances should be reviewed concerning vacant buildings.

Councilor Montoya commended the Public Works, Streets, Parks and Utilities Department for their joint effort in regards to the City's snow removal.

Councilor Rodriguez reiterated the concerns of the Fram building and also the Navajo Textile building, she requested updated reports on vacant building ordinances. She also was concerned about a perception in the community of pushing owners of these properties to court in order for outsiders to buy them.

City Manager Taylor advised they had not received any calls regarding the Fram Building, there had been issues with the building for about ten years and were trying to move forward in finding resources for the Fram building.

Councilor Montoya recommended that Code Enforcement provide an update on all properties red tagged every other month so that Council would be apprised of their status.

Councilor Ulibarri, Jr. agreed with Councilor Montoya's recommendation and stated they should be aware of the status of these properties.

City Manager Taylor advised that they would be glad to provide that report to Council.

### **CITY MANAGER'S REPORT**

City Manager Taylor reported on several projects taking place as follows:

- |   |   |
|---|---|
| 1. Community Development-Received 5 Grants                                | 5. Finance Staff- Will provide Mid-Year Budget Report     |
| 2. Filming of "Outer Range" movie in February (6th Street & Douglas Ave.) | 6. Customer Service Training for all staff- HR Dept.      |
| 3. 311 App available end of January                                       | 7. Presentation-Rodriguez Park Plans by Stephen Aragon    |
| 4. Carnegie Library-Providing Curbside Service to Community.              | 8. Water Storage-end of December reported at 53% capacity |

### **PRESENTATIONS**

Natasha Martinez with Northern Regional Housing Authority gave a detailed presentation reporting on the status of fifteen housing units that have clouded titles and have recently been released. Also present were Executive Director Terry Baca and Director Julian Barela of Northern Regional Housing Authority.

Mayor Trujillo thanked Ms. Martinez for her leadership and for reestablishing the good working relationship between the City and Northern Regional Housing Authority. He thanked Mr. Baca and Mr. Barela for their support regarding this long term issue with the Housing Authority.



## **FINANCE REPORT**

Finance Director Jesus Baquera presented the Finance Report for the month ending December 31, 2020, reporting the General Fund revenue at 56%, expenditures at 35% and surplus at \$536,660. He advised that Recreation Center revenue was at 44%, expenditures at 35% and surplus at 25,720. Enterprise Funds revenue was reported at 44%, expenditures at 38% and surplus at \$168,852. Mr. Baquera reported Lodgers Tax revenue at 153%, expenditures at 4% and surplus at \$124,818. He informed that the City received an A2 rating from Moody's Investment.

Brief discussion and questions took place regarding the A2 rating, the tax structure for water, gross receipts and property tax revenue.

## **BUSINESS ITEMS**

1. Request approval for out of state travel to Corpus Christi, Texas for one (1) street crimes investigator from the Police Department.

Police Chief Adrian Crespín advised that the Gracie Survival Tactics (GST) Instructor Level I Certification course will be held in Corpus Christi, Texas on February 1-5, 2021. The Course will teach methodologies that can be applied to any skill, not just defensive tactics.

Councilor Montoya advised he was concerned about COVID safety issues of traveling out of state and suggested training four officers online instead of sending only one officer and added it would be more cost effective.

Councilor Romero made a motion to approve out of state travel to Corpus Christi, Texas for one (1) street crimes investigator from the Police Department. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriguez	Yes	Michael Montoya	No
David Romero	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.



2. Request approval of Resolution 20-74, budget adjustment for the 2020-2021 fiscal year budget.

Finance Director Jesus Baquera advised that the budget adjustment will include a revenue and expense increase to fund 433 Rehab of Airport Projects in the amount of \$190,121.00 for crack sealing and \$20,000.00 in Cares funding as well as an increase to expense in 101 General Fund-Public Works for an insurance reimbursement in the amount of \$24,566.00 to replace a mast arm/street light on 7th and Mills.

Councilor Ulibarri, Jr. made a motion to approve Resolution 20-74, budget adjustment for the 2020-2021 fiscal year budget. Councilor Montoya seconded the motion.

Resolution 20-74 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO**  
**Resolution No. 20-74**

**A RESOLUTION TO MAKE BUDGET ADJUSTMENT FOR THE  
2020-2021 FISCAL YEAR**

**WHEREAS**, the Governing Body of Las Vegas has developed a budget adjustment request for fiscal year 2020-21; and

**WHEREAS**, said budget was developed on the basis of increases in revenues, expenditures through cooperation with all user departments, elected officials and other department supervisors, please see attached schedule; and

**WHEREAS**, the City of Las Vegas is in need of making a budget adjustment in the 2020-2021 fiscal year budget to include a revenue and expense increase to fund 433 Rehab of Airport Projects in the amount of \$190,121 as well as an increase to expense in 101 General Fund-Public Works in the amount of \$24566; and

**WHEREAS**, the Governing Body finds that the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2020-21.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned budget adjustment request and respectfully request approval from the Local Governing Division of the Department of Finance and Administration.

APPROVED AND ADOPTED this \_\_\_\_\_ day of January 2021.

\_\_\_\_\_  
Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Elaine Rodriguez	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

3. Request approval of Resolution 20-73 to update signature authority on accounts with Community 1st Bank and Southwest Capital Bank.

Finance Director Baquera advised that the update will include addition of current staff, Jesus Baquera, Finance Director.

Councilor Montoya made a motion to approve of Resolution 20-73 to update signature authority on accounts with Community 1st Bank and Southwest Capital Bank. Councilor Ulibarri, Jr. seconded the motion.

Resolution 20-73 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO**  
**Resolution No. 20-73**

**A RESOLUTION TO UPDATE SIGNATURE AUTHORITY ON  
ACCOUNTS WITH COMMUNITY 1<sup>ST</sup> BANK AND SOUTHWEST  
CAPITAL BANK**

**WHEREAS**, the Governing Body of Las Vegas has developed a request to update signature authority on accounts with Community 1<sup>ST</sup> Bank and Southwest Capital Bank; and

**WHEREAS**, said request to update signature authority on accounts with Community 1<sup>ST</sup> Bank and Southwest Capital Bank through cooperation with all user departments, elected officials and other department supervisors, please see attached authorization certificate; and

**WHEREAS**, the City of Las Vegas Finance Department is requesting the update of signature authority on the Community 1<sup>ST</sup> Bank and Southwest Capital Bank accounts. Update will include addition of current staff, Jesus Baquera, Finance Director; and

**WHEREAS**, the Governing Body finds that the request to update signature authority should be approved as it meets the requirements as currently determined for fiscal year 2020-21.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned request to update signature authority.

APPROVED AND ADOPTED this \_\_\_\_ day of January 2021.

\_\_\_\_\_  
Mayor Louie A. Trujillo

ATTEST: Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Elaine Rodriquez	Yes
Michael Montoya	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero asked for clarification regarding item #2 Budget Adjustment, whether the City was within legal bounds approving a budget transfer given the project is already in progress.

Public Works Manager Daniel Gurule advised that this had been brought to Council about three months ago and the project had moved forward although the funding had not been put in its proper place.



4. Request to publish Ordinance No. 21-01, an ordinance to amend the Code of the City of Las Vegas by amending the docket fees collected by there Municipal Court in Section 20-13 (A).

Councilor David Romero advised that the amendment will change the docket fee of twenty dollars (\$20.00) to forty dollars (\$40.00). This Ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City's home rule powers.

Councilor Montoya advised he reviewed the Ordinance and felt it was poorly written and suggested there should be some language changes and more specificity on two sections.

Discussion took place of fee changes and funding being earmarked for Municipal Court and Police Department.

City Manager Taylor clarified that from a budgeting perspective this money would go into the General Fund and some was being earmarked for the Police Department and Municipal Court and any additional money would be spent on those two departments.

Councilor Romero clarified that that was the intent of the Ordinance and hoped that it would not be changed in the future.

City Attorney Scott Aaron stated that Council could move forward with the changes and suggested that the first sentence of the Ordinance should read as follows: "the Municipal Court shall collect \$40 as and for a docket fee from any person or entity filing a complaint".

Councilor Montoya made a motion to publish Ordinance No. 21-01, an ordinance to amend the Code of the City of Las Vegas by amending the docket fees collected by the Municipal court in Section 20-13 (A) and also to include changes to Section 2 to state \$20 to the General Fund. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.

Yes

Elaine Rodriquez

Yes

David Romero

Yes

Michael Montoya

Yes

City Clerk Fresquez advised the motion carried.

5. Request to publish Ordinance No. 20-18 amending Ordinance 17-11 to modify the loan agreement with the New Mexico Environment Department for the Waste Water Treatment Plant lift station.

Utilities Director Maria Gilvarry advised that the loan funds package will be increased as follows: Loan principle from \$350,000 to \$850,000 @ 0% interest, Loan Subsidy grant funds from \$100,000 to \$15,000. Total amount from \$450,000 to \$1,000,000.

Discussion took place of the conditions of the Treatment Plant Lift stations.

Councilor Romero made a motion to approve to publish Ordinance No. 20-18 amending Ordinance 17-11 to modify the loan agreement with the New Mexico Environment Department for the Waste Water Treatment Plant lift station. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya

Yes

David Romero

Yes

David Ulibarri, Jr.

Yes

Elaine Rodriquez

Yes

City Clerk Fresquez advised the motion carried.

6. Reject request for proposals #2021-08 for the public works concrete flatwork.

Utilities Director Gilvarry advised the request for proposals #2021-08 included high mobilization costs, therefore rejection of the RFP is requested.

Brief discussion took place regarding advertising of bids and proposals to all contractors.

Councilor Montoya made a motion to reject request for proposals #2021-08 for the public works concrete flatwork. Councilor Romero seconded the motion.

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
Elaine Rodriquez	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

7. Request to purchase two (2) side load packler trucks for Solid Waste Division.

Utilities Director Maria Gilvarry advised that the Solid Waste division is in need of additional packer trucks for the collection of residential trash. These trucks will be used to complete daily routes. This purchase will ensure that Solid Waste is keeping up with the life expectancy of these trucks.

Discussion took place regarding the focus on the City's needs of operational equipment at the Solid Waste Department.

Councilor Rodriquez asked for clarification regarding contracting with a third party.

Mayor Trujillo clarified that some conversation had taken place about contracting with a third party although the City was not pursuing one at this point.

Solid Waste Manager Lucas Marquez gave a detailed explanation on the purchase of the packer trucks and of the Solid Waste staff rotation that would take place.

Councilor Montoya made a motion to purchase two (2) side load packer trucks for Solid Waste Division. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Romero	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.



8. Award request for proposals #2021-09 for diesel repair services for the City of Las Vegas diesel fleet to D.A.G. Enterprises of NM, LLC and enter into contract.

Utilities Director Gilvarry advised that this contract would be used by the City of Las Vegas Solid Waste Department along with all other City Departments for repairs to their diesel equipment.

Lengthy discussion and questions took place regarding the one respondent D.A.G., the requirements of mechanics, equipment maintenance routine, subcontractor use, liability insurance, the need for checks and balances on pricing for parts/repair, need of in-house maintenance program, need of random in-house contract audits and terms of contracts.

Councilor Romero stated for the record regarding costs, asking if estimation software was something they would be on top of?

Solid Waste Manager Lucas Marquez stated “Yes, cross referencing would be taking place and they were constantly watching and doing their best”.

Councilor Montoya made a motion to award request for proposals #2021-09 for diesel repair services for the City of Las Vegas diesel fleet to D.A.G. Enterprises of NM, LLC and enter into contract. Councilor Rodriguez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
Elaine Rodriguez	Yes	David Romero	Yes

Councilor Romero stated he voted yes, with ensuring it was being audited.

### **ADJOURN**

Councilor Montoya made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call.

Councilor Romero voted No, and made a motion to go into Executive session.

City Clerk Fresquez advised that there was a motion to adjourn on the table which required roll call and continued with the motion to adjourn.

Elaine Rodriquez	No	Michael Montoya	Yes
David Ulibarri, Jr.	Yes	David Romero	No

City Clerk Fresquez advised there was a tie.

Mayor Trujillo voted No, and broke the tie.

City Clerk Fresquez advised the motion did not carry.

### **EXECUTIVE SESSION**

Councilor Romero made a motion to enter into Executive session to discuss personnel matters as permitted by Section 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978 and matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H)(7) of the New Mexico Open Meetings Act, NMSA. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Elaine Rodriquez	Yes
Michael Montoya	No	David Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero advised that only discussion took place on topics stated in the motion, no action was taken and made a motion to leave Executive session and enter into Regular session. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
David Romero	Yes	Elaine Rodriquez	Yes

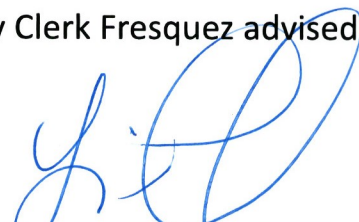
City Clerk Fresquez advised the motion carried.

**ADJOURN**

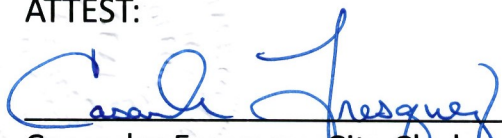
Councilor Romero made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
Elaine Rodriquez	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

  
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Mayor Louie A. Trujillo

ATTEST:

  
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Casandra Fresquez, City Clerk